

Application Serial No. 10/733,901
Amendment dated: September 30, 2005
Response to Office Action dated: July 6, 2005

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently amended) A method for securing a foundation form disposed on a moisture barrier membrane comprising:
 positioning one end of a concrete form stake in a mating structure of a plug;
 penetrating said moisture barrier membrane with a tip end of said plug; and
 forming a seal between a flange extending around a periphery of said plug and said moisture barrier membrane.
2. (Original) The method according to claim 1 further comprising the step of forming said seal by driving said stake through said moisture barrier membrane until said flange is disposed adjacent to said moisture barrier membrane.
3. (Currently amended) The method according to claim 1 further comprising the step of selecting said flange to include a flexible portion that forms said seal with said moisture barrier membrane.
4. (Currently amended) The method according to claim 1 further comprising the step of selecting said mating structure of said plug to include an bore that is shaped for receiving a portion of said stake.
5. (Original) The method according to claim 1 further comprising the step of forming said seal between said flange and said moisture barrier membrane using a sealing material.
6. (Original) The method according to claim 5 further comprising the step of selecting said flange to include a sealing material pre-disposed on a surface thereof.

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7. (Currently amended) The method according to claim 1 further comprising the step of selecting said mating structure so that said stake is removable from said plug after said seal has been formed.[[.]]
8. (Original) The method according to claim 1 further comprising the step of securing said stake to said foundation form.
9. (Original) The method according to claim 8 wherein said securing step is further comprised of the step of driving at least one of a nail and a screw through a bore formed in said stake and into said foundation form.
10. (Original) The method according to claim 1 further comprising the step of removing said stake from said mating structure.
11. (Original) The method according to claim 1 further comprising the step of removing said stake from said mating structure after concrete has been poured over said moisture barrier membrane.
12. (Original) The method according to claim 1 further comprising the step of selecting said flange to include a ridge disposed on an outer rim thereof.
13. (Original) The method according to claim 12 further comprising the step of disposing a pesticide in a channel at least partially defined by said ridge.
14. (Original) A method for securing a foundation form disposed on a moisture barrier membrane comprising:
 - penetrating said moisture barrier membrane with a plug disposed on one end of a stake;
 - sealing a breach in said moisture barrier membrane caused by said penetrating step by forming a seal around a periphery of said plug; and
 - removing at least a portion of said stake extending above said moisture barrier membrane.

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15. (Original) The method according to claim 14 further comprising the step of positioning said stake in a mating structure of said plug that is shaped for receiving an end of said stake.

16. (Original) The method according to claim 14 further comprising the step of forming said seal by abutting a peripheral flange of said plug adjacent to said moisture barrier membrane.

17. (Currently amended) The method according to claim 16 further comprising the step of selecting said flange to ~~includes~~ include at least one of a flexible and a resilient portion that forms a seal with said moisture barrier membrane.

18. (Original) The method according to claim 16 further comprising the step of forming said seal between said flange and said moisture barrier membrane using a sealing material.

19. (Original) The method according to claim 16 further comprising the step of selecting said flange to include an adhesive pre-disposed on a surface thereof.

20. (Original) The method according to claim 14 further comprising the step of selecting said stake to include at least one bore extending through said stake in a direction transverse to an axis defined along a length of said stake.

21. (Original) The method according to claim 14 further comprising the step of securing said stake to said foundation form.

22. (Original) The method according to claim 21 wherein said securing step is further comprised of driving at least one of a nail and a screw through a bore, formed in said stake transverse to an axis defined along a length of said stake, and into said foundation form.

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23. (Original) The method according to claim 15 wherein said removing step includes removing said stake from said mating structure after concrete has been poured over said moisture barrier membrane.

24. (Currently amended) Apparatus for securing a foundation form disposed on a moisture barrier membrane comprising:

an elongated stake;

a plug disposed on an end of said stake, said plug having a peripheral flange configured for forming a seal with a moisture barrier membrane surrounding an elongated body portion of said plug; and

a sealing material pre-disposed on a surface of said flange.

25. (Canceled)

26. (Original) The apparatus according to claim 24 wherein said plug is slidably removable from said stake.

27. (Original) The apparatus according to claim 24 wherein said plug includes at least one of a flexible portion and a resilient portion.

28. (Original) The apparatus according to claim 24 wherein said plug includes a mating structure for removably attaching said plug to said stake.

29. (Original) The apparatus according to claim 28 wherein said mating structure comprises a bore disposed within said stake that is profiled for removably receiving said stake therein.

30. (Original) The apparatus according to claim 29 wherein said flange includes a ridge disposed on an outer rim thereof spaced apart from said bore.

31. (Original) The apparatus according to claim 29 further comprising a channel formed on said flange configured for receiving a fluid insecticide.

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32. (New) A prepared foundation site, comprising:
a moisture barrier membrane disposed over at least a portion of a foundation site;
a plurality of plugs traversing said moisture barrier membrane and embedded in a soil disposed beneath said moisture barrier membrane;
each of said plugs comprising an elongated body portion having a tip end and a peripheral flange, said peripheral flange disposed on a portion of said elongated body opposed from said tip end; and
wherein said peripheral flange forms a seal with said moisture barrier membrane surrounding an area where said elongated portion of said plug traverses said moisture barrier membrane.
33. (New) The prepared foundation site according to claim 32, further comprising a sealing material disposed between said flange and said moisture barrier membrane.
34. (New) The prepared foundation site according to claim 32 wherein said moisture barrier membrane is disposed over compacted soil.
35. (New) The prepared foundation site according to claim 32 wherein said flange includes a flexible portion that forms said seal with said moisture barrier membrane.
36. (New) The prepared foundation site according to claim 32 wherein said plug includes at least one of a flexible portion and a resilient portion.
37. (New) The prepared foundation site according to claim 32 wherein said seal between said flange and said moisture barrier membrane is formed using a sealing material.
38. (New) The prepared foundation site according to claim 32 wherein said plug includes a mating structure for removably attaching said plug to a stake.

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39. (New) The prepared foundation site according to claim 38 wherein said mating structure comprises a bore disposed within said stake that is profiled for removably receiving said stake therein.

40. (New) The prepared foundation site according to claim 39 wherein said peripheral flange includes a ridge disposed on an outer rim thereof spaced apart from said bore.

41. (New) The prepared foundation site according to claim 39 further comprising a channel formed on said flange configured for receiving a fluid insecticide.